

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**DERRICK DARNELL PAYNE,**

**PLAINTIFF**

**V.**

**NO. 3:07CV003-P-D**

**SHERIFF KENNY DICKERSON, et al.,**

**DEFENDANTS**

**ORDER**

Presently before the court is a motion by Defendants to stay this matter. This matter is currently set for trial on September 22, 2008. On May 6, 2008, Defendants filed an interlocutory appeal challenging the denial of qualified immunity. The court finds that the interests of justice and judicial economy require that the trial be continued until the interlocutory appeal is resolved. Thus, the motion to stay (docket entry 77) is GRANTED. A new trial date will be set by further order of the court.

IT IS SO ORDERED.

THIS the 12<sup>th</sup> day of May, 2008.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE